

REMARKS

Allowable Claims

In the Office Action mailed on June 22, 2005, claims 10-12 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 10 has been amended herein to include all of the subject matter of claims 1 and 9 from which it depended. Claims 11 and 12 depend from amended claim 10. It is therefore submitted that claims 10-12 are allowable over the prior art.

Claims 13-20 were allowed.

Claims 1-9 Rejected as Anticipated under 35 U.S.C. §102(b)

The above-referenced claims were rejected as being anticipated by the disclosure of the U.S. patent of Takahashi No. 5,048,702. Of the above claims, claim 1 has been cancelled and claims 2 and 9 have been amended into independent form, adding all of the subject matter of claim 1 to each of claims 2 and 9. Claims 3 and 4 depend from amended claim 2 and claims 5-8 have all been amended to depend from amended claim 2. The subject matter of the invention recited in amended claims 2 and 9 is not identically shown in the Takahashi reference, and therefore the Takahashi reference fails to anticipate the subject matter of claims 2-9, and these claims are allowable.

For a prior-art reference to anticipate, every element of the claimed invention must be identically shown in a single reference. *In Re Bond*, 910 F.2d 831, 15 U.S.P.Q. 2d 1566 (Fed. Cir. 1990).

A party asserting that a patent claim is anticipated under 35 U.S.C. §102 "must demonstrate...identity of invention."
Minnesota Mining & Manufacturing Co. v. Johnson & Johnson Orthopedics, Inc., 976 F.2d 1558, 24 U.S.P.Q. 2d 1321, 1326 (Fed. Cir. 1992).

Claim 2 has been amended herein to include, among other novel features of the invention, "a magnetic surface at the drawbar distal end, the magnetic surface being positioned transverse to the drawbar length and having a first surface area of a first magnetic polarity and a second surface area of a second magnetic polarity, the first magnetic polarity being opposite the second magnetic polarity, and the first surface area and the second surface area are positioned horizontally side by side on the magnetic surface." These features of the invention are not disclosed or suggested by the Takahashi reference. Instead, Takahashi shows a cylindrical magnet 4 that has a north pole and a south pole positioned on opposite sides of a horizontal magnet axis 35. The rejection of the claims refers to figure 10 for a disclosure of the subject matter of original claim 2, i.e., the first surface area and the second surface area being positioned horizontally side by side on the magnetic surface. However, the surface of the magnet shown in figure 10 is positioned parallel to the length of the draw bar 3 and is not transverse to the drawbar length as now claimed. The Takahashi reference does not identically show the subject matter of amended claim 2, and the orientation and operation of the Takahashi magnet 4 teaches away from the subject matter of claim 2. Claim 2 is therefore allowable over the Takahashi reference and the other prior art of record in the application.

Claims 3-8 all depend from claim 2, and therefore these claims are also allowable over the prior art.

Claim 9 has been amended into independent form herein, adding all of the subject matter of original claim 1 into claim 9. Among other novel features of the invention, claim 9 recites “whereby the first draw bar is coupled to the second draw bar by engaging the magnetic surfaces of the first and second draw bars with the first and second surface areas of the first draw bar opposing the respective second and first surface areas of the second draw bar.” These features of the invention are not disclosed or suggested by the Takahashi reference. Instead, Takahashi shows a cylindrical magnet 4 that has a north pole and a south pole positioned on opposite sides of a horizontal magnet axis 35. In referring to figure 4, it is seen that the polarity of the magnets is positioned on opposite sides of the axis 35. When the magnets of two adjacent couplings come together as shown in figure 10, the entire opposing surface areas of the coupled magnets are of one polarity, i.e., the entire surface area of one magnet is of a negative polarity and the entire surface area of the opposing magnet is of a positive polarity. First and second surface areas of different polarities of one draw bar do not oppose second and first surface areas of different polarities of the second draw bar as required by claim 9. The Takahashi reference does not identically show the subject matter of the invention recited in amended claim 9, and therefore claim 9 is allowable over the Takahashi reference and the other prior art of record in the application.

It is respectfully submitted that in view of the amendments and remarks presented herein, the application is in condition for allowance and a favorable action is requested.

Respectfully submitted,

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